



Village of Commercial Point
Council Meeting Minutes
September 12, 2022

Mayor Goldhardt swore in the newly appointed council member, Audrea Ratliff.

Mayor Goldhardt called the meeting to order at 7:00 p.m. Administrative Assistant Baldwin took roll call with the following members present: Ms. Geiger, Ms. Wolfe, Mr. Crego, Ms. Ratliff and Mr. Mitchem.

A motion was made to approve the August 15th, 2022 Committee of the Whole Minutes by Ms. Wolfe and seconded by Mr. Mitchem. All were in favor. The motion passed.

A motion was made to approve the August 15th, 2022 Council Meeting Minutes by Ms. Geiger and seconded by Ms. Wolfe. All were in favor. The motion passed.

Administrative Reports:

- A. Mayor's Report – He had nothing to report at this time.
- B. Village Solicitor's Report – Solicitor Cartee explained that Council should enter Executive Session for Business item E. He discussed Resolution 38-2022 and said it is not ready to be voted on this evening. He discussed Ordinance 2022-23 and said it is a companion ordinance to the postponed legislation on the agenda. He said if council does not plan to proceed with the postponed legislation, they should vote this down or remove it from the agenda.
- C. Police Chief's Report – He was not present.
- D. Village Administrator's Report – Administrator Grosse provided updates with the August usage for the wastewater treatment plant and the water treatment plant. He showed Council the new uniforms he would like for the Utility and Street Departments. He informed Council that he is working on pavement repairs with the developers. In the next few weeks, crack sealing will begin on some streets. He informed Council that he met with ODOT last week. ODOT will help the Village Street Department with the state routes within the Village for the next year. Ms. Geiger asked about ODOT grants for walk paths.
- E. Village Engineer's Report - Ms. Derwacter provided updates on all the current Village projects.
- F. Zoning Administrator's Report – Zoning Administrator Kuzelka informed Council that there are several subdivisions that need fountains in their ponds. He will work with Village Administrator Grosse on this. He said permit applications have slowed down. Village Administrator Grosse extended an offer to Council to drive through the Industrial Park with him so they could see exactly what is taking place.
- G. Fiscal Officer's Report – She was not present.

Legislative Reports:

- A. Audrea Ratliff- She had nothing to report at this time.
- B. Laura Wolfe – Ms. Wolfe asked why the flags were not at half-staff on September 11th. Mayor Goldhardt said typically the information is given to the Police Chief but he was off Friday and Monday. Ms. Wolfe asked if anyone else can handle it. Ms. Geiger said the police officers are here around the clock and should be able to handle it. Mayor Goldhardt said he will assign the responsibility to someone.



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- C. Ryan Mitchem – Mr. Mitchem discussed a letter council received from a resident regarding structures not on his property. He asked the Zoning Administrator what the process is. Administrator Kuzelka said it was an error on his part and he apologized to the resident. Ms. Geiger asked if there is a statute of limitation? Solicitor Cartee will look into it. Mr. Mitchem said he also received complaints on high weeds and trash. He was advised to have residents that approach him with a complaint to please call the office.
- D. Ross Crego – He had nothing to report at this time.
- E. Nancy Geiger - Ms. Geiger said in addition to the Food Truck Festival, the Parks & Recreation Committee would like to add an additional Farmers Market on October 8, 2022.
A motion was made to add legislation to the agenda to hold a Farmers Market on October 8th, 2022 by Ms. Geiger seconded by Mr. Crego.
Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.
A motion was made to add legislation to the agenda to rent Port-A-Johns from Facility Services for \$200 on October 8th by Ms. Geiger and seconded by Ms. Wolfe.
Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.
A motion was made to amend the agenda to discuss a Halloween Parade and a movie night under additional items by Ms. Geiger and seconded by Ms. Ratliff.
Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Citizen Comments:

There were no citizen comments.

Business Items:

- A. Frey Annexation – Mr. Frey addressed council and gave an overview of 98 acres that he would like to annex into the Village. He said they would like to construct a mixed-use development on the property. He has been in discussion with DR Horton. They are looking to connect with Scioto Crossing and have an entrance on Durrett Road. The proposed project would include fifty and sixty-three feet lots. Patio, Single Family, and Townhomes would be built. He asked for input from council. Mayor Goldhardt asked if Council is interested in moving forward with a pre-annexation agreement. Council expressed concerns with infrastructure and the current traffic on Durrett, Welch and Lane roads. The majority of the Council said they do not wish to move forward with a pre-annexation agreement at this time. Mr. Frey asked if he could return in six months to discuss again. He was told yes.
- B. Mo's Place – Karen Moore addressed council and asked if they would consider rescinding their objection to the liquor permit for Mo's Place. She said they applied for this permit four years ago. She said that Liquor Control told them there is no conflict with a daycare center located in the same building. Mr. Crego said the whole thing started based on the question if a daycare is next door, is that an issue. His understanding was that Council had to object to the permit in order to ask the question and that is why we had the legislation. Solicitor Cartee said that is correct. Mayor Goldhardt asked if Council votes to rescind their objection, would that stop the hearing procedures. The Village would then be out of it and Liquor Control would handle it. Solicitor Cartee said yes. Mayor Goldhardt asked if council wanted to rescind their objection.
A motion was made to rescind the objection to Liquor Control by Ms. Ratliff and seconded by Ms. Wolfe.
Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. All were in favor. The motion passed.



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- C. TIF Interest Increase Legislation – Mr. Moore, attorney for K-Nova, addressed council regarding the legislation. Mr. Crego asked how this legislation benefits the Village of Commercial Point. Mr. Moore said the legislation is two parts. The legislation is designed to facilitate potential monetization in the future and the other part is an increase in the interest rate associated with the TIF should the monetization never happen. He said the monetization rate is tied to the bonds. He discussed the purpose of the TIF. He discussed the economy and the rate suggested is normal for today's rates. He discussed the developers, the investment they will need to put into their developments, and the investment they will need to receive back. There was further discussion with council. Mr. Moore's concern is that the construction will stop and the industrial park will not be completed.
- D. Pending Legal Action – Solicitor Cartee asked for this item to be placed on the September 19th agenda.
- E. Foxfire Golf Club Abatement – A motion was made at 8:48 p.m. to enter Executive Session under Ohio Revised Code Section 121.22 (G) (3) to discuss imminent court action with the Council, Mayor, Fiscal Officer and the Village Solicitor by Ms. Geiger and seconded by Ms. Wolfe. Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff -Yes. All were in favor. A motion was made to return from Executive Session at 9:12 p.m. by Ms. Wolfe and seconded by Mr. Crego. Roll call: Mr. Mitchem-Yes, Mr. Crego-Yes, Ms. Ratliff-Yes, Ms. Wolfe-Yes and Ms. Geiger-Yes. All were in favor, the motion was approved.
- F. Council Vacancy - Solicitor Cartee advised Ms. Joiner resigned her seat on September 6th, 2022. He said Council has thirty days to fill the seat.

Legislation:

First Reading:

Resolution 33-2022 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AGREEMENT WITH CINTAS CORPORATION FOR THE PROVISION OF UNIFORMS AT STATE-CONTRACTED PRICING AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

A motion was made to suspend the readings by Ms. Geiger and seconded by Ms. Wolfe.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

A motion was made to adopt Resolution 33-2022 by Ms. Wolfe and seconded by Ms. Ratliff.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Resolution 34-2022 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

A motion was made to suspend the readings by Mr. Crego and seconded by Mr. Mitchem.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

A motion was made to adopt Resolution 34-2022 by Ms. Wolfe and seconded by Ms. Ratliff.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Resolution 38-2022 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN EASEMENT AGREEMENT WITH K-NOVA, LLC, SCANNELL PROPERTIES #556 LLC, AND HART COMMERCIAL POINT INDUSTRIAL LLC, FOR THE ACCEPTANCE OF A STORM WATER EASEMENT BENEFITING THE VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a first reading, title only.



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Ordinance 2022-24 AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH SANDS DECKER CPS, LLC FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE NEW WATER TOWER PROJECT AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

A motion was made to suspend the readings by Mr. Crego and seconded by Ms. Geiger.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

A motion was made to adopt Ordinance 2022-24 by Ms. Ratliff and seconded by Ms. Wolf.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Ordinance 2022-25 AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH SANDS DECKER CPS, LLC FOR ENGINEERING DESIGN SERVICES FOR THE DIGESTER CONVERSION PROJECT AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

A motion was made to suspend the readings by Ms. Wolfe and seconded by Ms. Ratliff.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

A motion was made to adopt Ordinance 2022-25 by Mr. Crego and seconded by Mr. Mitchem.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Second Reading:

Ordinance 2022-22 AN ORDINANCE AMENDING SECTION 452.03 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATIVE TO PROHIBITED STANDING OR PARKING PLACES.

Mayor Goldhardt did a second reading, title only.

Mr. Mitchem asked if this is for new builds only. He was advised that the legislation would be for all new and existing developments.

A motion was made to suspend the readings by Ms. Geiger and seconded by Ms. Wolfe.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - No and Ms. Ratliff - Yes. The motion passed.

A motion was made to adopt Ordinance 2022-22 by Ms. Wolfe and seconded by Ms. Geiger.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - No and Ms. Ratliff - Yes. The motion passed.

Ordinance 2022-23 AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A COOPERATIVE AGREEMENT FOR THE PURPOSE OF PLEDGING CERTAIN TAX INCREMENT FINANCING REVENUES TO THE REPAYMENT OF DEVELOPMENT REVENUE BONDS TO BE ISSUED BY THE PICKAWAY COUNTY PORT AUTHORITY AND DECLARING AN EMERGENCY.

A motion was made remove the Ordinance 2022-23 from the agenda by Ms. Geiger and seconded by Mr. Crego.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Third Reading:

Ordinance 2022-21 AN ORDINANCE AMENDING SECTION 5(a)(3)(E) OF THE APPENDIX OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATED TO NOISE.

Mayor Goldhardt did a third reading, title only.



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Ms. Geiger asked for discussion. She reviewed other village's noise ordinances and none of them are the same. She said the current legislation is 9:00 p.m. during the week and until 10:00 p.m. on the weekend. Mr. Mitchem has a concern with the decibel levels more than the time frames. Mr. Mitchem asked if we will have someone monitor the decibel level. Mr. Crego supports the concern with the decibel level because he has had two people discuss it with him. He said he feels it is reasonable for businesses to keep their bands inside their establishments. Council would like to do more research before voting. A motion was made to postpone Ordinance 2022-21 indefinitely by Mr. Crego and seconded by Ms. Geiger.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Pending Administrative Action:

Resolution 35-2022 A RESOLUTION AUTHORIZING A FOOD TRUCK FESTIVAL IN THE VILLAGE OF COMMERCIAL POINT ON CERTAIN VILLAGE-OWNED PROPERTY ON SATURDAY, OCTOBER 15, 2022.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 35-2022 by Ms. Ratliff and seconded by Ms. Wolfe.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Resolution 36-2022 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO EXPEND UP TO \$500.00 FOR THE PURCHASE OF A LOUD SPEAKER SYSTEM FROM ACCOUNT NUMBER 2041-320-590 (PARKS AND REC - CAPITAL OUTLAY) TO BE USED IN CONNECTION WITH VILLAGE PARKS AND RECREATION EVENTS.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 36-2022 by Ms. Geiger and seconded by Mr. Mitchem.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Resolution 37-2022 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER AND VILLAGE ADMINISTRATOR TO EXPEND UP TO \$25,000.00 FOR THE PURCHASE AND INSTALLATION OF HOLIDAY AND SEASONAL LIGHT FIXTURES WITHIN THE VILLAGE FROM ACCOUNT NUMBER 2041-320-590 (PARKS AND REC - CAPITAL OUTLAY).

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 37-2022 by Mr. Crego and seconded by Ms. Ratliff.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Resolution 39-2022 A RESOLUTION AUTHORIZING FARMERS' MARKET ON CERTAIN VILLAGE-OWNED PROPERTY ON SATURDAY, OCTOBER 8, 2022.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 39-2022 by Ms. Wolfe and seconded by Mr. Mitchem.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Resolution 40-2022 A RESOLUTION AUTHORIZING THE VILLAGE FISCAL OFFICER TO EXPEND UP TO \$200.00 FOR THE RENTAL OF PORTABLE TOILETS FROM ACCOUNT NUMBER 2041-320-590 (PARKS AND REC - CAPITAL OUTLAY) TO BE USED IN CONNECTION WITH VILLAGE PARKS AND RECREATION EVENTS.

A motion was made to adopt Resolution 40-2022 by Ms. Ratliff and seconded by Ms. Wolfe.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.



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Postponed Legislation:

Ordinance 2022-20 AN ORDINANCE AMENDING ORDINANCE NO. 2019-19 TO PROVIDE FOR AMENDED TAX INCREMENT FINANCING FOR THE K-NOVA LLC DEVELOPMENT IN THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO TAX INCREMENT FINANCING AGREEMENT; AND PROVIDING RELATED AUTHORIZATIONS; AND DECLARING AN EMERGENCY.

Ms. Geiger asked for discussion. She thanked Mr. Moore for his interaction with council. She said she still does not see the benefit to the village. She asked if Council had any opinions after Mr. Moore spoke to them. Mr. Crego said he does not support it.

A motion was made to place Ordinance 2022-20 back on the agenda for a third reading by Ms. Geiger and seconded by Ms. Wolfe.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - No, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

Mayor Goldhardt did a third reading, title only.

Mayor Goldhardt asked if there was a motion to adopt Ordinance 2022-20. There was none and the ordinance died due to the lack of a motion to adopt.

Additional Items:

- A. Halloween Parade and Movie - Mayor Goldhardt asked if they know what roads they will be closing. Ms. Geiger said it will be settled soon, but their idea is to start at the office, go around the park and back to the office for a movie. Mayor Goldhardt asked them to put together a map for the Police Department.


A motion was made to close streets on October 7th for a Parks & Recreation Halloween Parade and to hold another movie night by Ms. Geiger and seconded by Ms. Wolfe.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

- B. A motion was made to appoint Ms. Ratliff to the vacancy on the Parks & Recreation Committee by Ms. Geiger and seconded by Mr. Mitchem.

Roll call vote: Ms. Geiger - Yes, Ms. Wolfe - Yes, Mr. Crego - Yes, Mr. Mitchem - Yes and Ms. Ratliff - Yes. The motion passed.

A motion was made to adjourn the meeting by Ms. Wolfe and seconded by Ms. Ratliff. All were in favor, the motion passed, and the meeting was adjourned.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer